

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

VERNON WAYNE MCNEAL

Plaintiff, No. CIV S-05-0441 GEB EFB P

vs.

EVERT, et al.,

Defendants. ORDER

Plaintiff is a prisoner without counsel suing for alleged civil rights violations. *See* 42 U.S.C. § 1983. Plaintiff, who is being transferred to another prison, has requested a third extension of time to file and serve an opposition to defendant's motion for summary judgment. *See* Fed. R. Civ. P. 6(b).

Given that plaintiff has several pending discovery motions, and the court's order on such motions may impact the nature and content of plaintiff's opposition to defendant's motion for summary judgment, the court will defer ruling on plaintiff's instant request for an extension of time. When the court issues its order regarding plaintiff's pending discovery motions, the court

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1 will include a further briefing schedule advising plaintiff as to when he must file an opposition to
2 defendant's motion for summary judgment.

3 So ordered.

4 Dated: September 5, 2008.


5 EDMUND F. BRENNAN
6 UNITED STATES MAGISTRATE JUDGE

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